## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN

§

\$ \$ \$ \$ \$ \$

§

\$ \$ \$ \$ \$ \$

IN RE SUBPOENA DUCES TECUM TO

INGETEAM INC.

CIVIL ACTION NO. 2:11-mc-36

## GENERAL ELECTRIC COMPANY'S MOTION TO COMPEL DISCOVERY REGARDING WIND TURBINE COMPONENTS FROM INGETEAM, INC.

Pursuant to Rule 45 of the Federal Rules of Civil Procedure, General Electric Company ("GE") hereby moves to enforce a subpoena it served to Ingeteam, Inc. ("Ingeteam") on January 14, 2011 seeking documents and testimony concerning the design and development of certain wind turbine components in connection with GE's patent infringement lawsuit against Mitsubishi Heavy Industries, Ltd and Mitsubishi Power Systems Americas, Inc. in the United States District Court for the Northern District of Texas.

Ingeteam has refused to respond fully to the subpoena on the ground that it does not have responsive documents and information within its possession, custody, or control. Ingeteam's foreign parent, however, possesses all such documents and information, and the relationship between Ingeteam and its parent is such that Ingeteam does have "possession, custody, or control" within the meaning of Rule 45.

The grounds for this Motion are more fully set forth in GE's brief in support hereof, and in the supporting Declaration of Nicholas Sethi and the exhibits thereto, all filed contemporaneously with this Motion.

Respectfully Submitted,

s/Anthony S. Baish

Anthony S. Baish Wisconsin State Bar No. 1031577 GODFREY & KAHN S.C. 780 North Water Street. Milwaukee, WI 53202 Phone: 414-273-3500

Fax: 414-273-5198 ABaish@gklaw.com

ATTORNEYS FOR PLAINTIFF GENERAL ELECTRIC COMPANY

6502491\_1